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52. (New) A computer-readable medium containing computer-executable instructions for performing a method of monitoring a consignment of goods, the method comprising:
receiving into a database a signal containing data representative of a measured parameter of the consignment, the database comprising a set-point value associated with the consignment for the measured parameter;
comparing the measured parameter with the associated set-point value; and if the measured parameter is not within a range specified, at least in part, by the set-point value, then initiating an intervention.

REMARKS

The Claims

Claims 1-9, 11-24, and 26-28 have been deleted, without prejudice, in favor of new claims 29-52. New claims 29-50 correspond to the claims presented in the Annexes to the International Preliminary Examination Report in the corresponding international application PCT/AU99/00946 ("original claims"). New claims 29-35 correspond to original claims 1-7. New claims 36 and 37 correspond to original claims 9 and 11, respectively. New claims 38-48 correspond to original claims 12-22. New claims 49 and 50 correspond to original claims 24 and 26, respectively. New claims 51 and 52 are directed to newly presented embodiments of the present invention.

New claims 29-37, and 51 are directed to a method of monitoring a consignment of goods. The new method claims differ from the original method claims in that the new method claims incorporate the elements of original claim 8. In particular, the new method claims require the inclusion of a set-point value in the central database, and further require comparing the measured parameter of the consignment against the set-point value and initiating an intervention when the measured parameter is not within a range specified by the set-point value. New 51 modifies the intervention step by further requiring recalling the consignment.

New claims 38-50 are directed to a system for monitoring a consignment of goods. The new system claims differ from the original system claims in that the new system claims incorporate the elements of original claim 23. In particular, the new system claims require a set-point value in the central database, a comparator for comparing the measured parameter of the consignment against the set-point value, and an initiator for initiating an intervention when the measured parameter is not within a range specified by the set-point value. New claim 52 is directed to a computer-readable medium containing computer-executable instructions for initiating an intervention.

The new claims have been re-drafted to more particularly point out and distinctly claim the present invention. In particular, the initialization and secure communication features of the original claims have been deleted as unnecessary limitations. The "central location" language of the original claims has been amended to read, generically, as a "database," and the means-plus-function language in the original system claims has been amended to recite structural definitions. The new claims also have been amended grammatically, and all multiple dependencies have been removed.

Claims corresponding to original claims 10 and 25 have been omitted in view of their prior cancellation, and claims corresponding to original claims 8 and 23 have been omitted as redundant in view of the claim amendments. The amendments are fully supported by the specification. No new matter has been added.

Office Action

The Office Action objects to the claims on the following grounds:
the claim numbering allegedly does not comply with 37 C.F.R. § 1.126;
the claims allegedly include a multiple dependent claim that depends from another multiple dependent claim; and
claim 7 allegedly includes language that does not comply M.P.E.P. § 608.01(n).
The Office Action rejects claims 1-6, 11-19, and 21-28 as allegedly anticipated under 35 U.S.C. § 102(e) by U.S. Patent 5,892,441 ("Woolley").

Discussion of the Office Action

With regard to the claim objections, new claims 29-52 are numbered beginning with the next number following the highest numbered claim previously presented. As such, the new claims are in full compliance with 37 C.F.R. § 1.126. Further, the new claims do not include multiple dependencies, and the language of the new claims fully complies with M.P.E.P. § 608.01(n). It is believed that the claim objections have been rendered moot in view of the new claims.

With regard to the anticipation rejection, it is submitted that the invention recited by the new claims is not taught or suggested by the cited art. The claimed invention concerns disposable monitoring tags affixed to items in the stream of commerce. The tags measure one or more parameters of interest and send the measurements to a database. The database stores the measurements and compares them against set-point values associated with the parameters. For example, a tag may measure the temperature of a perishable food item as it is shipped from a wholesaler to a retail outlet, and the set-point may represent the highest acceptable temperature during shipping. The claimed invention is particularly useful for monitoring perishable products along the cold chain.

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If the measured parameter is outside a permissible range, as specified by the set-point, then an intervention action is initiated. Intervention actions include, for example, sending an alert message to a user of the database or recalling the item from the stream of commerce. Intervention is described in the specification at, e.g., page 3, lines 16 through 20, page 4, lines 16 through 19, page 7, lines 10 through 15, and page 10, lines 15 through 18.

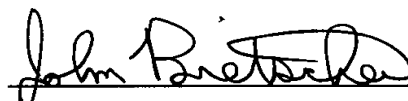
The invention recited by the new claims is neither taught nor suggested by the cited art. Woolley, for example, does not disclose or reasonably suggest initiating an intervention, such as recalling an item from the stream of commerce, when a measured parameter is out of the permissible range for a consignment of goods. Furthermore, it would not have been obvious to combine the teachings of Woolley those with of another reference so as to arrive at the invention recited by the new claims.

In view of the foregoing, the new claims are in proper form and are patentable over the cited art. Accordingly, reconsideration is requested.

Conclusion

The application is considered to be in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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